IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

WP(C).No. 35690 of 2007(W)

PETITIONER:

O.JAYARAJAN.DIVISIONAL FOREST OFFICER,
KANNUR.

BY ADV. SRI.N.NANDAKUMARA MENON (SR.)
SRI.P.K.MANOJKUMAR
SMT.SUSHYA RAJAN

RESPONDENTS:
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1. **THE STATE OF KERALA,REPRESENTED BY THE CHEIF SECRETARY, GOVERNMENT OF KERALA SECRETARIAT,THIRUVANANTHAPURAM.**

2. **THE PRINCIPAL SECRETARY TO GOVERNMENT F & WLD,SECRETARIAT,THIRUVANANTHAPURAM.**

3. **THE CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)KERALA FORESTS DEPARTMENT FOREST HEAD QUARTERS,VAZHUTHACAUD THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 35690 of 2007

Dated this the 3rd December, 2007

J U D G M E N T

The petitioner is now working as Deputy Conservator of Forests Senior Grade (Non Cadre) and is posted at Kannur as Divisional Forests Officer. He entered service as Ranger through direct recruitment. His probation in the post of Ranger was declared with effect from 1.2.1983, as per Exhibit-P1 order. Petitioner was later promoted to the post of Assistant Conservator of Forests with effect from 19.3.1996 He has been subsequently granted a Senior Grade to the post of Deputy Conservator of Forests with effect from 1.10.2005. He is eligible to be considered for appointment in Indian Forest Service as per the provisions contained in Indian Forest Service (Appointment by Promotion) Regulations, 1966. He contends that he has completed 8 years of service as Assistant Conservator of Forests and therefore he is eligible in that regard. In so far as the probation is concerned, there seems to be delay on the part of the respondents in declaring his probation in the post of Assistant Conservator of Forests. But at the same time it is contended that there is no order extending the period of probation.

2. After having heard the learned Senior Government Pleader, Mr. Nandakumar also, I am of the view that orders must be passed in the matter of declaring the petitioner's probation in the post of Assistant

Conservator of Forests, without any further delay. If probation has not been extended normally it should be declared on completion of mandatory two years of service within a period of three months.

3. In the circumstances, this writ petition is disposed of directing the 2nd respondent to pass orders on Exhibit-P5 in the matter of declaring the petitioner's probation in the post of Assistant Conservator of Forests, at any rate, before 31.12.2007. On such orders being passed, if the petitioner is otherwise eligible to be included in the zone of consideration for appointment to the I.F.S. in terms of the regulations mentioned above, needful shall be done in this regard. Once orders are passed in this regard, petitioner shall be considered for inclusion in the post for appointment under the Indian Forest Service (Appointment by Promotion) Regulations 1966 in the manner aforementioned without any further delay.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007